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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

AVX Corporation

Opposition No: 91/150,971

Opposer,

v.

EPCOS AG,

Applicant.

02-04-2004
U.S. Patent & TMO/TM Mail Rpt Dt. #84

CONSENTED WITHDRAWAL OF OPPOSITION

In view of the Board's Order of June 18, 2003, entering EPCOS AG's amendment to the identification of goods in Application Serial No. 75/863,261, and pursuant to 37 C.F.R. § 2.106(c), Opposer AVX CORPORATION requests that its Opposition to the subject application be withdrawn without prejudice. Applicant's consent is indicated below by signature of applicant's attorney.

Respectfully submitted,

DORITY & MANNING, P.A.

DATED: 14 January 2004

BY: James M. Bagarazzi
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal service as First Class Mail in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on the date shown below:

MARIE-ANNE MASTROVITO

Marie-Anne Mastrovito
Signature

Date February 2, 2004

Applicant, EPCOS AG, by signature of its undersigned attorney, hereby consents
to entry of this Withdrawal of Opposition.

1/30/04
Date


Marie Anne Mastrovito
Marie Anne Mastrovito, Esquire
Abelman, Frayne & Schwab
150 East 42nd Street
New York, NY 10017

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing CONSENTED WITHDRAWAL OF OPPOSITION was deposited in U.S. First-Class Mail, postage prepaid, ~~Certified Mail/Return Receipt No.~~ _____, on the date written below and addressed to counsel of record as follows:

James M. Bagarazzi, Esquire
DORITY & MANNING, P.A.
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Greenville, SC 29602-1449

Date: 2/2/04


Marie Anne Mastrovito, Esquire
Abelman, Frayne & Schwab
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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

King

Mailed: June 18, 2003

Opposition No. 91150971

AVX CORPORATION

v.

EPCOS AG

Thomas W. Wellington
Interlocutory Attorney,
Trademark Trial and Appeal Board:

On May 2, 2003, applicant filed a proposed amendment to its application Serial No. 75/863,261, with opposer's consent.

By the proposed amendment applicant seeks to change the identification of goods from "HOUSEMARK FOR A FULL LINE OF ELECTRICAL ENGINEERING AND ELECTRONIC COMPONENTS AND DEVICES FOR THE TELECOMMUNICATIONS, AUTOMOTIVE ELECTRONICS AND INDUSTRIAL AND CONSUMER ELECTRONICS INDUSTRIES, AND ELECTRONIC PARTS AND COMPONENTS, NAMELY, FILTERS FOR ELECTRICAL SIGNALS, SURFACE ACOUSTIC WAVE COMPONENTS, NAMELY, SURFACE ACOUSTIC WAVE FILTERS AND SURFACE ACOUSTIC WAVE APPARATUS FOR RADIO FREQUENCY APPLICATIONS, CERAMIC COMPONENTS, NAMELY, THERMISTORS, VARISTORS, LOW TEMPERATURE CO-FIRED CERAMIC (LTCC) MODULES, PIEZO ELECTRONIC ACTUATORS, SURGE VOLTAGE ARRESTERS, SWITCHING SPARK GAPS AND MICROWAVE CERAMICS, EMC COMPONENTS AND CAPACITORS, NAMELY, CONVERSION FILTERS, POWER

CAPACITORS, TANTALUM CHIP CAPACITORS, ALUMINUM ELECTROLYTIC CAPACITORS, ULTRACAPACITORS, CHOKES AND FILTERS, FERRITES, FERRITE CORES AND INDUCTIVE FERRITE COMPONENTS, NAMELY, INDUCTORS AND INDUCTIVE FERRITE CORES" to "HOUSEMARK FOR A FULL LINE OF ELECTRICAL ENGINEERING AND ELECTRONIC COMPONENTS AND DEVICES FOR THE TELECOMMUNICATIONS, AUTOMOTIVE ELECTRONICS AND INDUSTRIAL AND CONSUMER ELECTRONICS INDUSTRIES, AND ELECTRONIC PARTS AND COMPONENTS, NAMELY, FILTERS FOR ELECTRICAL SIGNALS, SURFACE ACOUSTIC WAVE COMPONENTS, NAMELY, SURFACE ACOUSTIC WAVE FILTERS AND SURFACE ACOUSTIC WAVE APPARATUS FOR RADIO FREQUENCY APPLICATIONS, CERAMIC COMPONENTS, NAMELY, THERMISTORS, VARISTORS, LOW TEMPERATURE CO-FIRED CERAMIC (LTCC) MODULES, PIEZO ELECTRONIC ACTUATORS, SURGE VOLTAGE ARRESTERS, SWITCHING SPARK GAPS AND MICROWAVE CERAMICS, EMC COMPONENTS, NAMELY, CONVERSION FILTERS, CHOKES AND FILTERS, FERRITES, FERRITE CORES AND INDUCTIVE FERRITE COMPONENTS, NAMELY, INDUCTORS AND INDUCTIVE FERRITE CORES."

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(b), and because opposer consents thereto, it is approved and entered. See Trademark Rule 2.133(a).

If this resolves the dispute herein, opposer is allowed until thirty days from the mailing date of this order to file a withdrawal of the opposition, failing which the opposition will go forward on the application as amended. See Trademark Rule 2.106(c).